

REMARKS

Claims 13 and 20 were pending at the time of the Office action.

Claim Rejections – 35 USC §102

Examiner's Rejection

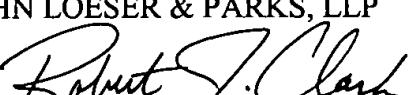
The Examiner has rejected claims 13 and 20 under 35 USC §102(e) as being anticipated by Kenyon (U.S. Patent Application Publication 2002/0023020 A1).

The Applicant traverses the Examiner's rejection by providing a declaration under 37 C.F.R. §1.131, attached hereto, stating that the Applicant conceived of the invention prior to the earliest priority date of the Kenyon reference and that the Applicant diligently proceeded to file a patent application and gain constructive reduction to practice shortly thereafter. Evidence in support of the declaration is attached to the declaration as Exhibit A (first page of a patent search request) and Exhibit B (first two pages of a patentability opinion). It is noted that the documents have information redacted that is not material to the declaration and that the attorney-client privilege of the patentability opinion is not waived by this redacted submission.

Accordingly, the Applicant respectfully requests that the rejection is removed and that, in view of the arguments set forth above, prompt reconsideration and allowance of the claims is earnestly requested.

Respectfully submitted,

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